

STATE OF MINNESOTA

BOARD OF SOCIAL WORK

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REGULAR BOARD MEETING
University Park Plaza
University Conference Room A – 4th Floor
2829 University Avenue S. E.
Minneapolis, Minnesota 55414

January 19, 2007

Members Present:

Kathleen Beehler, LSW
Anthony Bibus, III, LISW
Robin Bode, LSW
William Cullen, Secretary-Treasurer
Roy Garza, LICSW
David Hallman, LSW, Vice-Chair
Rosemary Kassekert, Public Member
Mary Casey Ladd-Bowman, LICSW
Peter Langseth, LSW
Kenneth Middlebrooks, Public Member
Anoma Mullegama, LICSW, Chair
Beverly Ryan, LISW
Antonia Wilcoxon, Public Member

Staff Present:

Julie Geiger, Applications Coordinator
Louis Hoffman, Director of Compliance
Brenda Mammenga, Compliance Coordinator
Sheryl McNair, LICSW, Staff Social Worker
Frank Merriman, Executive Director
Connie Oberle, Office Manager
Kate Zacher-Pate, LSW, Assistant Director

1. PROPOSED AGENDA

Mullegama, the new Chair of the Board, called the meeting to order at 10:05 a.m.; a quorum was present. Mullegama shared her background, and thanked the past Chair, Wilcoxon, for her service to the Board. Mullegama also appointed Bibus as the Board's Parliamentarian. Bibus agreed to serve the Board in that capacity and Mullegama thanked him.

Mullegama noted that Agenda item number 12, "Mandated Reporter Training" was not ready for today's meeting, and that it should be removed from the agenda. **A motion was made by Garza, and seconded by Wilcoxon, to remove Agenda item number 12, "Mandated Reporter Training," from today's meeting agenda. The motion carried unanimously.**

2. MINUTES FOR DECEMBER 15, 2006 MEETING

Bibus noted revisions that should be made to the minutes. **A motion was made by Bibus, and seconded by Hallman, to make the following changes to the December 15, 2006 Board Meeting minutes:**

- **Page 2, Sandra Traudt should be noted as representing the Minnesota Conference on Social Work Education;**
- **Page 3 under AC Recommendation #5, the wording should be "supervision be received"; and**
- **Page 13, the Legislative Drafting Subcommittee builds legislation for the Legislation and Rules Committee.**

The motion carried unanimously.

3. EXECUTIVE DIRECTOR'S REPORT [Attached]

Merriman made the following comments about the materials included in the Board packet:

- His work plan has been updated;
- The Organization Chart shows that the Board is fully staffed. Changes include the promotion of Julie Geiger into the Applications Coordinator position, and Cheri Pittlekow moved into Geiger's former position as Communication Specialist/Receptionist.
- The OMHP Program Manager position is vacant, and Hoffman is filling in until the position is filled.
- The staff is excellent and it does great work. Appreciation was extended to Mammenga for preparing the Board minutes.
- Online renewal statistics continue to increase and are at 62%, as well as online applications which are at 60%.
- Annie Paruccini is the Governor's new Appointment Secretary, and she hopes to have the Board's open positions filled by March 1, 2007.
- The 17 Health Related Licensing Boards are developing a Continuity of Operation Plan for the Boards in case of disaster. The target date for a draft is March 2007.

(Langseth left the meeting at 10:15 a.m.)

4. BOARD MEETING SCHEDULE 2008 [Attached]

Merriman reported that three of the Board meetings scheduled in 2008 would need to be changed due to conference room availability. **The Board unanimously approved the following changes in Board meeting dates: 1) the previously scheduled January 18, 2008 Board meeting would be held on January 11, 2) the September 19 meeting would be changed to September 12, and 3) the November 21 meeting would be changed to November 14.**

5. APPOINTMENTS: Committee Members, Liaison Appointments [Attached]

Merriman commented that under Board By-laws, the Board should appoint new committee and liaison positions to the Board, and that the Board recommends that each of its members should serve on at least one committee or as a liaison.

The Board unanimously approved the following appointments today, in addition to the current committee membership:

- Compliance Education Outreach Committee: Ryan
- Advisory Committee: Wilcoxon will shadow Bibus this year
- OMHP: Bode and Garza will shadow Bibus this year
- HPSP: Kassekert, with Ladd-Bowman as alternate
- Legislation and Rules Committee: Beehler

Bode noted that she is also willing to be on the Compliance Education Outreach Committee and Garza is open to serving as a liaison to ASWB or OMHP.

6. CLINICAL STANDARDS: Ladd-Bowman (Chair, Legislation & Rules Committee)
(Continued after 9. Compliance Committee)

Ladd-Bowman acknowledged the incredible work of Board Staff (Merriman and Zacher-Pate), the Legislation Drafting Subcommittee, Pam Berkwitz and Pam Luinenberg on the clinical standards legislation. She noted that the Legislation and Rules Committee (Bibus, Langseth and Ladd-Bowman) met last evening to discuss the three legislative proposals to be discussed today: They are, Temporary Licenses, Provisional Licenses and Clinical Standards.

Provisional License: The following comments were made:

- Ladd-Bowman referred to "Proposed Amendments" which are attached to "Provisional Licenses Summary". The amendments provide that supervision requirements for provisional licensees should be comparable to the proposed supervision requirements in the Clinical Standards Proposal when, and if, the clinical standards proposal is enacted.
- The current "alternate method" of licensure for foreign-born, ESL applicants will sunset on August 1, 2007. If the new "provisional license" passes, it will not have a sunset date.

A motion was made by Ladd-Bowman, and seconded by Bode, to approve the Board's Provisional License Legislative Proposal, with amendments. The motion carried unanimously.

- Zacher-Pate responded to questions about the current alternate method and how it compares to the provisional licensure requirements. She said that the focus of the provisional license is to have stronger supervision standards and to provide an alternative to the current method.

Temporary License: The following comments were made:

- Ladd-Bowman said that the proposal allows an applicant to practice social work under a temporary license for 12 months until the applicant's social work program is accredited. If the school is not accredited, the temporary license would be revoked.

A motion was made by Ladd-Bowman, and seconded by Bode, to approve the Board's Temporary License Legislative Proposal. The motion carried unanimously.

- Garza asked how schools were doing with diversifying student populations according to race.
- Bill Anderson, Chair of the Minnesota State Mankato Department of Social Work (MSU), responded that MSU does not have students for its Master's program at this time because the program is being developed and the school is in the accreditation process

with CSWE. However, he said that MSU is in the midst of doing a faculty search, that it is committed to recruiting a diverse faculty, and that there are similar provisions in the Student Mission.

- Bode commented that at the undergraduate level MSU has gone out-state to recruit students, there are students from other countries, and that even though it is difficult to achieve diversity, the school has done an incredible job of doing so.
- Anderson responded that MSU's undergraduate program has a long history of working with people of Hmong and East African backgrounds, and that diversity is an important part of its program which will continue at the graduate level.

Clinical Standards:

Ladd-Bowman referred to the Clinical Standards Legislative Draft Proposal and the "Summary of Proposed Legislative Licensing Requirement Changes." She made the following comments:

- After the last Board meeting, Merriman took the Board's recommendations on the DHS Draft Task Force Report to the DHS Task Force. The Task Force accepted all of the recommendations except for the recommendation that an LICSW applicant for licensure should complete 300 rather than 360 clock hours in clinical knowledge areas.
- Ladd-Bowman clarified that the Board vote at the December 19, 2006 meeting was on the Task Force Recommendations, not the Board's legislative proposal.
- The Legislation and Rules Committee supports the 360 clock hour recommendation as stated in the Majority Report.
- Endorsement – Applicants for the LICSW license, who hold a current license in another jurisdiction, must meet academic and exam requirements, must have completed 4000 hours of authorized supervised practice in another jurisdiction, but will not be required to meet the newly proposed clinical coursework content requirement.
- Supervised Practice Requirements – LSW and LGSW supervised practice hours will increase from 75 to 100 hours post-licensure. LISW supervised practice hours will increase from 75 to 100 hours pre-licensure. LICSW supervised practice hours will increase from 100 to 200 hours pre-licensure, with 1800 of the required 4000 hours of clinical practice in direct client contact.
- Requirement for all social work supervisors who provide supervision to meet licensing requirements – Supervisors must have 2000 hours of authorized practice, including 1000 hours of clinical practice (if applicable), and 30 hours of training in supervision to be eligible to provide licensing supervision.
- Requirements for Alternate Supervisors – Documentation for unsuccessful search for clinical supervision is not required if there are 5 or fewer LICSWs in the county where the supervisee practices.
- CE Hours Required – All licensees will be required to have 40 continuing education hours instead of the current 30 hours. LICSWs are required to have 24 of the 40 CE hours in clinical content. Licensing supervisors are required to have 6 of the 40 CE hours in the practice of supervision.

A. Mankato Social Work Department: William A. Anderson, MSW, PhD, LISW

Mullegama introduced Dr. William Anderson.

Anderson thanked the Board for letting him comment on the clinical standards issue, and he introduced himself as a 12-year founding member of this Board, a former ASWB Board Member and the Chair of the Minnesota State Mankato Department of Social Work (MSU). He also thanked the Board for the progress it has made on the 12-month temporary license for graduates from programs in candidacy. Anderson made the following comments:

- He feels strongly about the entire clinical issue, but does not necessarily represent other faculty members' views on the issue, which run the gamut.
- He questioned whether there is evidence and complaints regarding incompetence by licensed mental health providers to support the recommendations.
- If the recommendations are adopted, we don't want to threaten the livelihood of clinical social workers by making them less able to be eligible to receive third party pay or MA reimbursement, if social work does not increase standards.
- Social workers are trained with much more than a narrow clinical emphasis, including social justice, policy and planning which are critical to advancing mental health services. Advanced Generalist training and practice is very important, in addition to meeting clinical standards.
- There is strong support for the four year delayed effective date so schools and agencies will have time to meet the standards.
- There is concern about the increase in supervision requirements when there is already a shortage of clinicians in rural areas.
- There is concern that the increased clinical standards do not jeopardize the critical role that bachelor's level case managers play.
- There is concern about the additional resources it will take for the Board to implement and enforce the documentation of clinical content education hours.
- MSU will try to be responsive to any new requirements. It will have a program for Advanced Generalist, the traditional two-year MSW, an advanced standing one-year MSW, and will explore alternatives for professionals requiring additional clinical content training.

Anderson asked if there were any questions, and he thanked Bibus for his years of service to the Board. There was the following discussion:

- Cullen was concerned about increasing clinical coursework from 300 to 360 hours, and commented that Bibus originally wanted it to stay at 300 hours.
- Bibus responded that the Drafting Subcommittee and the Legislation and Rules Committee made persuasive arguments and he has now accepted the 360 hour coursework requirement. It is important that the Master's Social Work program does not appear less rigorous or valid than other programs. It is important that the social work profession does not lose credibility.
- Bibus also had concerns about the implementation timeline, and he is glad that there will be a four-year delayed effective date. Also, he is pleased that counting semester hours is now set so that one semester credit equals 15 hours of coursework.

The following is the public comment:

- Pam Berkwitz, Chair of the Minnesota Coalition of Licensed Social Workers, commented that Social Workers did not begin the clinical standards issue. It began because professional counselors wanted to do clinical work and standards became an issue. Social Workers then began looking at the standards, and the Coalition has supported increased clinical standards.

- Alan Ingram, Executive Director, National Association of Social Workers, Minnesota Chapter, said that he has never been more proud of this group as he listens to the quality of discussions, people are open to ideas and there has been movement toward consensus on these issues. He thanked the Board for its professional consideration.
- Pam Luinenberg, Coordinator of the Minnesota Coalition of Licensed Social Workers, commented that the social work profession is unique and that it needs people with good clinical skills as well as those with an advanced generalist knowledge base. She is very happy that MSU is holding onto its advanced generalist focus, but that it will also explore ways to meet the clinical training requirement.

Bibus commented that one of the Board's recommendations to the DHS Task Force, in addition to the 300 hour coursework requirement, was adding cultural competency as a separate knowledge area as noted in the Social Work Minority Report. The Drafting Subcommittee, however, followed the DHS Task Force Recommendation regarding this issue and did not identify a separate knowledge area of 5% specific to cultural competence. However, at yesterday's Legislation and Rules Committee and discussion at a Drafting Subcommittee meeting, Bibus asked if our legislative proposal could be amended so that there would be stronger wording about cultural competency.

Merriman responded that this is a valid concern, and that there may be other revisions to the legislation. If the Board goes ahead with this legislative proposal, then a draft would be sent to the Revisor, a legislative author would need to be recruited, and then the bill could be introduced between mid-February to mid-April. Depending on how controversial the bill is, and whether any groups come forward, we may not know the result of the legislation until the end of the session. Merriman asked if the Board would like to continue the previous policy which gives the Executive Committee the power to approve any changes to the bill after it has been introduced given the need to address issues immediately. The Board agreed.

(Roy Garza left the meeting at 11:50 a.m.)

A motion was made by Bibus, and seconded by Ladd-Bowman, to approve continuing development of the legislation with the spirit of cultural competence in the clinical content coursework areas, and sending it to the Revisor. The motion carried with 7 approving, 2 opposing, 1 abstaining, and two absent.

(See further discussion on Clinical Standards after "9. COMPLIANCE COMMITTEE.")

7. MANAGEMENT ANALYSIS DIVISION: Susan Senko

Mullegama introduced Susan Senko and asked her to report on her "Board of Social Work Organization Assessment" dated November 2006.

Senko reported that interviews of focus groups began in August, and she found that this organization is very strong and people were willing to talk. She reviewed her seven recommendations that are listed in her report (attached).

8. FACILITATION SKILLS COURSE: Frank Merriman

Merriman noted that Senko had originally suggested that in addition to a Board assessment, the Board could also consider having a strategic planning retreat which Senko

could facilitate. After a discussion, Senko said that there are also training courses available on facilitating effective meetings. Merriman said that he would send an e-mail about options for having a retreat, and he thanked Senko. He said that her work was found to be very impressive by all concerned. Senko said that she enjoyed the project and thanked the Board for working with her.

LUNCH (12:15 – 1:00 p.m.) (Ladd-Bowman left at 12:40 p.m.)

9. COMPLIANCE COMMITTEE: David Hallman, Ken Middlebrooks, Anoma Mullegama

(Executive Session: The meeting was closed to the public at 1:05 p.m.)

Hoffman introduced the following cases:

1. In the Matter of Rhonda M. Burns, LICSW License No. 12066. **The Compliance Committee's recommendation to approve the Order Granting Unconditional License was approved unanimously.**

2. In the Matter of Page Edmunds, Unlicensed. **The Compliance Committee's recommendation to approve the Stipulation and Order was approved unanimously.**

3. In the Matter of Lyle Heit, Unlicensed. **The Compliance Committee's recommendation to approve the Stipulation and Order was approved unanimously.**

Hoffman referred to the updated Complaint Status Report, November 1, 2006 – December 31, 2006. (Attached)

(The meeting re-opened to the public at 1:15 p.m.)

***6. CLINICAL STANDARDS:** Ladd-Bowman (Chair, Legislation & Rules Committee)
(Continuation from above)

There was further discussion about notifying licensees and stakeholders about the clinical standards legislative proposal. It was discussed that staff send a post card or letter to all licensees explaining that the clinical standards issue was not Board initiated, but that the Board is responding to the issue. Bibus responded that it would be worth the investment to do such a mailing, and he asked if the Associations could get the word out, also. Merriman said that the letter should come from the Board Chair. The Board supported the idea.

10. PROPOSED POLICY ON EXAM LIMITATIONS: Kate Zacher-Pate [Attached]

Zacher-Pate said that effective January 1, 2006 there is a limitation on the number of times an applicant may take the licensure examination. The statute provides that an applicant who fails the licensure examination three times must petition the Board to take the examination a fourth or subsequent time, and submit specific documentation. Zacher-Pate said that this issue is being brought to the Board today as the Board has received its first petition from an applicant to exam for the fourth time. Because this request was received between Board meetings and the applicant was in danger of losing her job, Zacher-Pate said that she and Merriman took this case before the Executive Committee so that a decision could be made in a timely manner, with the understanding that the policy issue would be presented to the Board at

its January meeting. Merriman asked if the Board would consider having Board staff act on the fourth or subsequent petition by an applicant, unless the petition was denied.

A motion was made by Bode, and seconded by Beehler, to approve Board staff to approve petitions to take the examination a fourth or subsequent time. In cases which are not clear or staff is inclined to deny a request, staff will present the matter to the Board. The motion carried unanimously.

11. SABBATICAL RESEARCH: Tony Bibus

Bibus noted that he and Christine Black-Hughes from Minnesota State University-Mankato would like to do a study for the Board in the fall of 2007 while they are on sabbatical. Bibus distributed a memorandum listing eight topics for the Board to consider. The Board circled the topics they would like to be considered for the study and returned the forms to him.

12. HEALTH PROFESSIONALS SERVICES PROGRAM (HPSP): Mary Olympia [Attached]

Mullegama introduced Mary Olympia, Case Manager from HPSP. Olympia said that HPSP is an agent of various health related licensing boards, and its mission is to promote early intervention, diagnosis and treatment for health professionals with illnesses, and to provide monitoring services as an alternative to board discipline. She said that most participants are in the program for 12-48 months, and that five Social Workers were in the program as of October 2006. There was a discussion about ETG testing for alcohol use. Mullegama thanked Olympia for reporting to the Board today.

13. ASU: Juli Vangsness, Administrative Services Unit (ASU) (Attached)

Merriman introduced Juli Vangsness. Vangsness said that she is an ASU manager and that she has been with the Health Licensing Boards for 14 years. She distributed "Board of Social Work Actual Receipt Report" for FY 2007, dated December 2006 and attachments. The following are her comments:

- The items to be covered today: 1) services provided by ASU, 2) the Board's current financial data, 3) the Board's budget planning, 4) auditing, and 5) policy, procedures, rules, statutes and laws.
- Since there was a question during the HPSP presentation about how much the Board pays HPSP for its services, Vangsness said that each Board pays HPSP \$1000 per year to be in the program. Additional fees are charged every month according to the number of participants that each Board has in the program.
- State agencies prepare their budgets biennially, or each odd-numbered year. The Department of Finance notified ASU at the end of July about the direction the Boards should take in preparing their biennial budget. ASU met with each of the 17 health related licensing Boards, and this Board did not have any changes.
- This Board's base budget for FY 2006 and FY 2007 is \$873,000. There was a \$164,000 balance remaining from the 2006 budget, so it was forwarded to the FY 2007 budget. However, if there is a surplus from the 2007 budget, it will automatically go to the Special Revenue Fund, and the Board would have to ask the Legislature for authority to access the funds.
- The Board did not propose any budget increases/decreases for the FY 2008 and FY 2009 budget. In 2009 the budget for 2010-2111 will be prepared. The budget must be approved by the legislature, which establishes the spending authority limit.

- The Board is due for an audit by the Office of Legislative Auditors as they are conducted approximately every six years. The audit will provide findings and recommendations to the Board.

Wilcoxon noted a concern she had in September as a member of the Finance Committee and a Board member when she was asked to approve the budget for the next two years and ASU did not have the statistics available at that time. Vangsness said that there were not any major changes to the Social Work budget, so review of this Board's budget was deferred to mid-October, which was a month after the Board's September meeting.

Merriman thanked Vangsness for her presentation, and said that she meets with the Executive Directors bi-monthly.

14. COMMITTEE & LIAISON REPORTS

A. Advisory Committee: Tony Bibus

Bibus reported that the Committee has not met since the Board's special meeting in December.

B. Compliance Education Outreach Committee: Antonia Wilcoxon

Wilcoxon asked Hoffman to report. Hoffman said that the Minnesota Social Service Association has not responded to the Board's application to present at its conference in March. The Board has been asked to do a boundary presentation at the Minnesota HomeCare Association conference in June.

C. Council of Health Boards: Rosemary Kassekert

Kassekert reported that the Council met on December 6. The following are her comments:

- Senator Becky Lourey asked the Council to review the licensure of Naturopathic Doctors. Kassekert noted that the role of the Council is to offer recommendations, not to propose legislation.
- The Health Related Licensing Boards created a panel and reviewed the licensure application by using a rating worksheet on general topic areas, and submitted a proposal to the Council.
- The Council reviewed the Panel's proposal and found the following:
- There were considerations that were not addressed for which the Legislature may want to request additional information and clarification.
- The Legislature was encouraged to review the naturopathic scope of practice as it overlaps scopes of practice regulated by other professions. Also, there is a lack of standards and objective data regarding the safety and efficacy of the profession.
- There was not enough information to make a recommendation on the cost of regulating naturopaths.
- The Legislature may want to determine whether the proposed statute sufficiently describes what surgical procedures are permitted or prohibited.

D. Finance Committee: Bill Cullen

Cullen reported that the Committee did not meet.

E. HPSP: Casey Ladd-Bowman

Ladd-Bowman asked Kassekert to report. Kassekert said that there was a meeting on November 21, and she made the following comments:

- The HPSP Advisory Committee is authorized to continue until 2015.
- The Program Manual was distributed and reviewed.
- HPSP now provides services to Audiologists.
- There was a presentation about AA.

F. Legislative Task Force: Tony Bibus

Bibus reported that the Task Force will meet February 2, and made the following comments:

- Mark Toogood, LSW, and Director of the State's Guardian Ad Litem program, will be the guest.
- The Task Force is looking at the Board's legislative package for 2009, which may include the "New Idea," a proposal to license county social workers with accredited social work degrees. It is also discussing the unintended consequences that may arise for BSWs and MSWs as a result of such legislation, such as, will the BSW or MSW be locked out of county social work practice.
- The Task Force is an important mechanism to gather information and support from groups which include Advocacy groups, the Coalition, Guardian Ad Litem, etc. He noted that a Guardian Ad Litem speaks on behalf of children at court proceedings.

G. OMHP: Tony Bibus

Bibus reported that there was no meeting, and there was not a lot of business. He said that Louis Hoffman is covering the office until a new Program Manager is hired, and that the office is scheduled to sunset in 2009 if no new legislative proposal is introduced.

15. PUBLIC COMMENT

Bibus commented that the Minnesota Merit System will meet with MCSWE to look at the shortage of mental health case managers for the aging population in rural Minnesota. He said that County Social Work Directors hire from the Minnesota Merit System, and they are having difficulty finding trained individuals who can be good case workers for vulnerable people. The first profession they turned to as a resource was social work. This meeting will include County Directors and colleagues from other social work associations.

16. OTHER BUSINESS

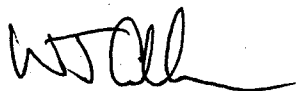
Wilcoxon commented that she serves on a group that has been discussing the development of a certificate program at the U of M on early childhood mental health. She will submit a short memo to the Board.

Merriman thanked our new Board Chair for providing lunch.

17. ADJOURN

The meeting adjourned at 2:20 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. Cullen', with a long horizontal flourish extending to the right.

William Cullen
Secretary-Treasurer